



CITY COUNCIL
Regular Meeting – January 11, 2016 6:00 p.m.
Council Chambers

*1368 Research Park Dr
Beavercreek, Ohio*

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. December 14, 2015 Regular Meeting
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 15-30 Z-15-4 Penno Rezoning, R-1A to O-1 (Third Reading)
 - B. Resolution 16-01 Allocating Marriage Money to Mayor's Designated Fund
 - C. Resolution 16-02 Authorizing Finance Director to request the Auditor of Greene County for advance of real estate and public utility taxes
- VII. CITY MANAGER'S REPORT
- VIII. MAYOR'S REPORT
- IX. COUNCIL TIME
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

BEAVERCREEK CITY COUNCIL

REGULAR MEETING December 14, 2015 6:00 p.m.

PRESENTATIONS TO OUTGOING COUNCIL MEMBERS

- ◆ Vicki Giambrone
- ◆ Jerry Petrak

CALL TO ORDER

Mayor Jarvis called the meeting to order followed by roll call.

PRESENT: Council Member Giambrone, Council Member Litteral, Council Member Petrak, Council Member Upton, Council Member Whilding, Vice Mayor Wallace, Mayor Jarvis

ABSENT: None

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Randy Burkett, City Planner; Michael Cornell, City Manager; Dennis Evers, Chief of Police; Kim Farrell, Recreation Supervisor; Theresa Hathaway, Fiscal Officer; Steve Klick, Golf Course General Manager; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman; City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Council Member Petrak led the pledge.

MOMENT OF SILENCE/PRAYER

Prayer led by Council Member Giambrone

APPROVAL OF AGENDA

Council Member Litteral **MOVED** to approve the agenda, seconded by Council Member Whilding. Motion **PASSED** by majority voice vote.

APPROVAL OF MINUTES

Council Member Litteral **MOVED** to approve the minutes of the October 26, 2015 Joint Work Session with Beavercreek School Board, seconded by Vice Mayor Wallace. Motion **PASSED** by majority voice vote. (Giambrone, Upton, Jarvis abstained)

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Council Member Upton MOVED to approve the minutes of the November 16, 2015 Budget Work Session seconded by Council Member Petrak. Motion PASSED by majority voice vote

Council Member Whilding MOVED to approve the minutes of the November 23, 2015 Regular Meeting, seconded by Council Member Giambrone. Motion PASSED by majority voice vote. (Petrak, Upton abstained)

STATE OF THE CITY/BUDGET MESSAGE (City Manager)

Mr. Cornell presented the State of the City/Budget Message. He explained the State of the City address is provided annually to update citizens on current fiscal accountability and operational and capital accomplishments of the city and to present the upcoming municipal budget and future plans for city improvements to maintain or enhance infrastructure and service delivery. (State of the City document attached to back of minutes.)

ORDINANCES, RESOLUTIONS AND PUDS

Resolution 15-44 Accepting the 2016 Budget

Clerk Lampton read a Resolution accepting the 2016 City Budget as presented by the City Manager

Council Member Upton said council and staff have had several work sessions regarding the budget and breaking it out line by line. He wanted the citizens to know that even though there was not a lot of discussion tonight it has been discussed in past meetings.

Vice Mayor Wallace said they would like to increase the Fund Balance from 15% to 20% but cannot because of the budget. She said they are still being financially sound and conservative in the spending.

Council Member Giambrone said 15% is not really good compared to other municipalities.

Council Member Whilding said he would like to address his concerns about the budget by making a motion to amend Resolution 15-44 by removing from the 2016 Budget the transfer of \$281,747 from the General Fund Account 7340 titled Transfer to the Golf Course and removal of this amount from Fund 572 Golf Course Fund and further reduction of the operating expenses in the Fund 572 by \$281,747.

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Mr. McHugh said there needs to be a motion to approve before you can amend the Resolution.

Council Member Whilding said we did that last year and you called for the vote first and the motion to amend didn't occur.

Mr. McHugh explained that last year the motion was made to approve, it was seconded and the vote was called for prior to calling for an amendment. He said technically you would amend after you have a motion.

Council Member Giambrone MOVED to approve Resolution 15-44, seconded by Vice Mayor Wallace.

Council Member Whilding MOVED to amend Resolution 15-44 by removing from the 2016 Budget the transfer of \$281,747 from the General Fund account 7340 titled Transfer to the Golf Course and removal of this amount from fund 572 Golf Course Fund and further reduction of the operating expenses in the fund 572 by \$281,747.

The motion DIED for lack of a second.

Council Member Giambrone said she appreciated Council Member Whilding's diligence on this issue. She said this deserves a thorough evaluation and have discussed finding funds to hire an expert in municipal golf course evaluations and audits so they can put together a long range strategic plan. She said we have this asset and if we don't continue to maintain it and work through what are the right things five ten years from now, she worries. She understood his point and it is a popular point with a lot of people and just get rid of it but you just can't do that. She said this is an asset that people have paid for with public money and we need to do the right thing.

Council Member Whilding appreciates that along with the comments and discussions they have had. He said that was one of the reasons why he didn't remove the capital; he doesn't not want our asset to fall apart. He said looking forward there are a lot of problems in the golf industry and a lot of things that have been postponed because of the amount of money to pay off this golf course. He wanted to continue to push forward from this and get support from the community because this is a divisive issue within the community.

Vice Mayor Wallace said she did not think it is as divisive as you think in her opinion. She believes the community embraces this golf course. She said it will be paid off in six years which is huge for the budget. She said the golf course is

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run well and they receive nothing but positive feedback on events that are held there. She said the people that live in that area love it there.

Council Member Petrak said if we are going to do something they need to find a way to do it that isn't going to cost more money. He said most of the things he's heard about is going to cost more money in the long run.

Council Member Whilding said he would like to step upon what Mr. Klick has done with sponsorship and make what that singular gap is. He said find the supporters of the golf course whether that be businesses, the people that live around the golf course or the community as a whole. He said in building the five year plan it is should the potential of things that yes we have the second cost of how it was built. If the city is going to operate it make sure it operates like a business because there are five or six public private courses that went out of business because they don't have the capability of the financial resources of the city. He said we are losing private businesses because of this.

Council Member Giambrone said you can't run a public entity like a private entity. She said as a business person she has heard that for eight years. She said the rules are not the same. She said you can use good business practices where they apply. She said it's one of those dangerous things when people say that because private businesses do not have the same rules that the public does. She said it is a different path forward.

Mayor Jarvis said if people knew the history of the golf course they would know we went through a court case to accept it. He said it is ours and we stepped up to the plate in 2007 when this happened. He said we should it to the end. He said there are funds allocated in this budget for an analysis. He said the note will be paid off in six years and after that it will be a very small investment.

Motion PASSED by roll call vote of 6-1. (Whilding voted no)

Ordinance 15-31 Annual Appropriations (Single Reading)

Clerk Lampton read an Ordinance approving the Annual Appropriations for the City of Beavercreek, State of Ohio, for the fiscal year beginning January 1, 2016 and ending December 31, 2016 and authorizing the transfer of monies.

Council Member Giambrone MOVED to approve Ordinance 15-31, seconded by Vice Mayor Wallace. Motion PASSED by roll call vote of 6-1. (Whilding voted no)

Resolution 15-46 Wage Adjustments

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Clerk Lampton read a Resolution adopting pay schedules for non-union full time classified and non-classified positions and regular part time and temporary and seasonal positions.

Ms. Bissinger explained this Resolution provides for Council to set and approve the 2016 Pay Schedules for non-union full time positions (exhibits A and B) and regular part time and temporary and seasonal positions. She said the accompanying pay schedule (exhibit C), has been amended to include the additional pay grade 900, which had been added to accommodate regular part time tipped employees. She said the schedules also represent a 2.5% increase, as budgeted, for non-union full time and regular part time positions. She said these pay schedules are proposed to become effective with adoption of a Resolution by Council establishing the pay schedules effective January 1, 2016. She said it was staff's recommendation that the proposed pay schedules for 2016 covering non-union full time positions and regular part time and temporary and seasonal positions be approved.

Council Member Litteral MOVED to approve Resolution 15-46, seconded by Council Member Whilding. Motion PASSED by roll call vote of 7-0.

Resolution 15-47 City Manager/Clerk of Council Wage Adjustment

Clerk Lampton read a Resolution to set and approve the 2016 salary for City Manager and Clerk of Council.

Ms. Bissinger said Council has reviewed both the City Manager and the Clerk of Council and therefore recommends approval of the Resolution.

Council Member Upton MOVED to approve Resolution 15-47, seconded by Council Member Litteral. Motion PASSED by roll call vote of 7-0.

Ordinance 15-29 Repealing and Adopting new Section 91.01 "Cruelty to Animals; Cruelty to Companion Animals" (Third Reading)

Clerk Lampton read an Ordinance repealing current section 91.01 of the city of Beavercreek Code of Ordinances, entitled "Cruelty to Animals; Cruelty to Companion Animals", and adopting new section 91.01 of the City of Beavercreek Code of Ordinances, entitled "Cruelty to Animals; Cruelty to Companion Animals"

Council Member Upton asked Mr. Paul Leonard to make some comments regarding this topic.

Vice Mayor Jarvis said Mr. Leonard was a member of the Ohio House of Representatives from 1973 to 1980, Mayor of Dayton from 1982 to 1986 and Lt. Governor of Ohio from 1987 to 1991, Founder of the Center for Animal Law and

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Advocacy and currently teaching at Sinclair, University of Dayton and Wright State University.

Mr. Leonard thanked Council Member Upton for his leadership on this issue. He said Council Member Upton had been a student of his at Wright State University and he admires him for exercising leadership in an area that cries out for it. He said he is doing something that you don't see very often in many city councils or state legislatures and certainly not in the Congress of the United States. He said in his animal law practice he has represented Sam, the giraffe, who was housed in a garage in Troy, Rocky, the raccoon out of Kettering Ohio and a number of dogs. He said one of the things he has come to understand is that even though the law looks at companion animals, it's nothing more than property. He said the law does not recognize that animals are living creatures. He said any of you that have had any kind of a companion animal, they animal was a part of your family and not just a piece of property. He said what you are doing today as a Council in this region is exercising the kind of leadership that you don't see exercised in many city councils. He said as someone who teaches animal law at Wright State University and practices animal law, he wanted to say thank you for exercising leadership. He said you should take your message to the National League of Cities and the Council of Mayors and urge other communities to do this.

Council Member Upton MOVED to approve Ordinance 15-29, seconded by Council Member Giambrone. Motion PASSED by majority voice vote.

Ordinance 15-30 Z-15-4 Penno Rezoning R-1A to O-1 (Second Reading)

Clerk Lampton read an Ordinance amending the zoning map, by rezoning approximately 0.69 acres of land located on the west side of Sylvania Drive approximately 170 feet north of the intersection of Sylvania and Chalfonte Drives from R-1A One Family Residential District to O-1 Office District, further described as Book 3, Page 10, Parcel 229 on the Greene County Tax Atlas.

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 15-32 Additional Appropriations (Single Reading)

Clerk Lampton read an Ordinance to approve supplemental appropriations, certify additional revenue and authorize an inter-fund advance for the fiscal year beginning January 1, 2015 and ending December 31, 2015 and to amend Ordinances 14-32, 15-07, 15-12, 15-19, 15-25 and 15-28.

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Mr. Kucera said this is the last appropriation for the year. He said there was one fund that may end with a negative balance and per the Ohio Revised Code you cannot have a negative fund balance. He said they are proposing an advance from the General Fund to the Debt Service Fund. He said a Debt Service Fund is designed to have a zero fund balance. He said they budget for the revenue coming in from transfers from our other funds and the assessments and is offset with the debt service payments. He said in certain times of the year when the Count Auditor cuts off on when they receive and send us our settlements, there are some delinquent settlements out there. He said there were a couple of payments that came in too late and they didn't get to the city. He said we ended up paying out and didn't have the revenue that was supposed to have been received. He said what is done is advance the funds from the General Fund for the Debt Service Fund and when those funds come in they will reverse this entry. He said the second item is the exact same thing last year with the 771 fund. He said what they had budgeted was not enough and had advanced money from the General Fund to the Impact Fee Fund knowing that the fees were coming. He said what they are doing now is repaying that advance to the General Fund. Mr. Kucera said there were a couple of changes to the Ordinance which were technical accounting changes. He said in section I, the fourth line says "inter-fund transfer" and should say "inter-fund advance" as well as at the bottom of the page it should say "inter-fund advance" to instead of "transfer fund to."

Council Member Litteral MOVED amend Ordinance 15-32 with the changes recommended by Mr. Kucera, seconded by Vice Mayor Wallace. Motion PASSED by majority voice vote.

Council Member Whilding MOVED to approve Ordinance 15-32 as amended, seconded by Council Member Litteral. Motion PASSED by roll call vote of 7-0.

Ordinance 15-33 10 Year Street Lighting Agreement (Emergency)

Clerk Lampton read an Ordinance authorizing the City Manager to enter into a contract with Miami Valley Lighting (MVLt) for street lighting services for use on public grounds and streets in the City of Beavercreek, Ohio for a period of ten (10) years commencing January 1, 2016 and expiring on December 31, 2025 and declaring an emergency.

Mr. Cornell said this was the new ten year street lighting agreement related to approximately 600 poles and fixtures within the community under the domain of Miami Valley Lighting. He said they began the negotiations in August with three city managers from Englewood, Kettering and Beavercreek representing 23 jurisdictions. He said they are very pleased with the outcome of the negotiations.

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Council Member Whilding appreciated all the efforts but does not see the necessity for the emergency. He said he supports everything else with that exception.

Council Member Giambrone MOVED to approve Ordinance 15-33, seconded by Council Member Litteral. Motion PASSED by roll call vote of 6-1. (Whilding voted no.)

Council Member Giambrone asked Mr. Cornell to explain the reasoning behind doing this as an emergency. Mr. Cornell said because it was a coordination of 23 jurisdictions and the new contract goes into effect January 1.

MAYOR'S REPORT

Mayor Jarvis reviewed the annual review process for the City Manager and Clerk of Council. His summary of the assessments included overall ratings for both as exceeds expectations.

Vice Mayor Wallace said besides Council completing the evaluations, they also ask citizens to participant in the evaluations.

Council Member Petrak said some of the outside people they have comment are not the most friendly on certain subjects but no matter what their feelings are of the City Manager and his program they still rate him extremely high and professional.

Council Member Giambrone said both the Clerk and the City Manager have been exceptionally brave to select people to participate in this process who haven't always been positive.

"For my final Mayor's Report of the year and of my term, I'd like to make a few comments and observations. It's been an incredible couple of years being the City's Mayor. Over the past two years, I've performed thirty-one Grand Opening/Ribbon-Cuttings and thirty-three wedding ceremonies. But, focusing just on this year, a few significant events come to mind:

- We've sworn in six new police officers
- We survived an EF-1 Tornado
- We brought back our 4th of July celebration after having cancelled it in 2014 for budgetary reasons.
- And we completed and opened up the Pedestrian Bridge. That project was a long time in coming.

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We've had numerous business openings this year. I won't mention them all, but it's been an incredibly dynamic and robust year for both large and small businesses in the City of Beavercreek.

The perspective you get while serving the community is a sobering one. You really come to realize how serious this job is. The people you have the opportunity to interact with – the kids you positively impact, the residents whose concerns you address, the business owners that come to you with issues, other communities' elected officials that you build relationships with, the officers, enlisted members, and veterans at WPAFB (the largest single-site employer in the State of Ohio) that you interact with – you're always reminded why you came here and that you're here to serve.

You also get to see and appreciate first-hand all the people it takes working behind the scenes in order for Beavercreek to be the great place it is to live, work, play, and pray.

There's no question that Beavercreek has been a great economic engine for this region. We're the third largest city in this metropolitan area; the largest city in Greene County. We're business-friendly, resident-friendly, and have great diversity in religious faiths.

We're one of the safest cities in this region, with one of the lowest crime rates (both in number and per capita) in the region and we appreciate our first responders for the major role they play in our safety.

We have great schools, our infrastructure is maintained at a level that benefits everyone in our community, we have the level of parks and recreational activities that the residents desire, and we do this all at the second lowest tax rate in the region. That's no easy task.

All of our departments – Engineering, Finance, Golf Club, HR, Parks & Rec, Planning & Zoning, Police, Public Service, Senior Center (I hope I didn't miss any) – we have a team of professionals that perform their roles in an exemplary fashion and we appreciate all that they do.

As I said before, Beavercreek has the right balance of safety, infrastructure, and parks & recreation that provides a very stable community for families to live and for businesses to grow jobs. But, these things don't happen by accident.

To remain vibrant, the City must continuously look for new and innovative ways to improve and remake itself. We have all the assets and resources that we

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need to continue moving forward and remaining highly relevant, not only in this region, but also in this State.

We need to continue looking into ways to support collaboration with neighboring communities (including WPAFB), always seeking out those areas where we have common goals, strengths, and vision that are mutually beneficial.

With costs to provide services continually increasing, and with infrastructure and significant drainage issues still remaining, we need to seek out alternative revenue sources in a way that does not overburden our residents and businesses, while still maintaining our position as being one of the lowest tax-rate communities in this region.

And, we need to look at Government support – at the State level – entirely differently. Because they're probably going to continue cutting more of the financial support they've already reduced over the past few years.

If we do these things, we'll continue to establish the economic conditions that will maintain our position in the region as THE place where businesses want to locate, families want to live, and visitors want to enjoy.

So, to summarize and then wrap this up, I'd just like to say again how great it's been having the opportunity of being your Mayor.

What we've collectively been able to do is to put together a balanced budget, and still have a safe community, strong infrastructure, a robust parks system, and an ever-growing community (both residential and commercial) – where people all across the city, and the region, know that there is something really special going on in Beavercreek.

Earlier this year I heard Governor Kasich say that, "The opportunity to serve is a great one. At the same time, the increased visibility and scrutiny while you serve are even greater. Always remember that it's ones' character that matters; keep your moral compass true and solid, and based on sound principles. It will keep you from getting off-path."

I've tried to keep those words in the forefront of my mind. And, I've been blessed to be able to serve in this capacity. Thank you for the opportunity to be your Mayor."

COUNCIL TIME

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Council Member Whilding said on December 23rd from 8:00 a.m. – 11:00 a.m. at Build A Bear there is a fundraiser to build bears to donate to the children at Children's Medical Center over the holiday. He said it is recommended to make a reservation and is highly attended by the Beavercreek Township Fire Department and the Beavercreek Police Department. He said he appreciates the time working with Council Member Giambrone over the last two years. He said he has known Council Member Petrak for years. He said growing up he had always asked what did you do today for your society and had to give an answer. He said it makes you think and Council Member Petrak is an inspiration.

Council Member Petrak said his comment was always what did you do today to make this world a better place to live. He reviewed the employee anniversaries. Congratulations to everyone. He said he had been on council for eight years and then left for four and in the meantime Mr. Cornell was hired and the place was different; the people, attitudes, focus and dedication were different. He said this last eight years are characterized by a tremendous staff and city council. He said the leadership has set a tone that has made him very proud to be here. He said the staff is very dedicated and very helpful. He thanked everyone for their professionalism and support and good luck in the future.

Vice Mayor Wallace thanked Council Member Giambrone for her service and being a great mayor, mentor and her dedication to this great community. She thanked Council Member Petrak for his many years that he has given to this community. She said he has been an inspiration and someone to follow and appreciates being able to work with him. She said on Wednesday, December 16th at Buffalo Wild Wings in Beavercreek there is a fundraiser for Fisher Nightingale House. She said Chuy's is having an open house tonight and tomorrow. She asked Chief Evers to speak about the monthly report. She said last month they have given out 49 warnings and this month 91 warnings instead of tickets. Chief Evers said they are working with two traffic grants through the State of Ohio which are addressing impaired driving, distracted driving and aggressive driving. He said the officers have the discretion to issue a citation or a warning. He said not every interaction with the public results in an arrest or a citation. He said there are ways to resolve a situation without that. He said part of this is education of the public but they are also trying to modify the driving behavior to make our roadways safer. He said distractive driving is one of the major issues along with speed. He said the grant does give them the opportunity to address those. He said on another note as we enter the winter season crashes tend to go up. He said last winter's crashes in the State of Ohio totaled 24,747 involving snow, ice and slush covered roads which is a decrease of 28% from the previous winter. Fatal crashes fell from 35 to 30. Last winter's crashes happened most often on snowy roadways 48% of the time, on straight level

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roads 63% of the time, during daylight hours 57% of the time, and with one vehicle involved moving straight ahead 66% of the time. He said two-thirds of the 67% of the crashes on snow, ice or slush covered roads were caused by speed related factors, 45% of such crashes involved only one vehicle. He said as winter approaches please drive slowly, everything including accelerating, turning and braking takes longer on snow covered roads. Give yourself time to maneuver by slowing down. He said if you cannot devote your full attention to driving because of some other activity it's a distraction, take care of it before or after your trip – not behind the wheel.

He thanked Council Member Giambrone and Council Member Petrak for their support and years of service.

Vice Member Wallace said our community policing activities have doubled in the month of November. School resource activities because we have two school resource officers have tripled, COPP activities have almost doubled. She said to please be careful during the holiday season. She thanked the Council and the citizens for allowing her to be Vice Mayor.

Council Member Giambrone said it has been an amazing eight years. She said when she was first elected she thought the City needed a fully integrated strategic plan and it has resulted into some really important strategies. She thanked Mr. Cornell for his openness and willingness to work on that. She thanked Ms. Vann who served as Mayor when she was Vice Mayor. She said they had challenges and they were able to work through that to create a professional atmosphere that may or may not had been there in the past. She thanked Council Member Petrak for his tenure of service to this community. She said she admires the positive energy that he brings to everything that he does. She said when Mayor Jarvis interviewed for the open seat she was impressed by his diligence and willingness to dig into issues. She said it was her honor to nominate him that day. She said it has been her honor and privilege to serve with him. She thanked Vice Mayor Wallace and Mayor Jarvis for their service to our country. She said Vice Mayor Wallace is always the person who reminds us of those who have disabilities which is such an important thing to do. She said Council Member Litteral and she had gone to graduate school together and it has been a pleasure to serve with her. She said she doesn't believe people realize the depth of knowledge and expertise the Council Member Litteral brings in terms of law enforcement and working with other government entities as well as all of her work with the terrible heroin epidemic. She said what she admires about Council Member Upton is his genuine caring for the city and his willingness to grow and learn. She has been honored and privileged to work with him. She said to the citizens it has been her honor and privilege to serve her community.

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She said you have a great Council and asked the citizens to show their support towards these people. She thanked all of staff for all the good work that you do and she appreciates them. She said to the volunteers we couldn't run this city without you and your willingness to give with a joyful heart has been a lesson for her. She said she has learned a great deal over the past eight years and has made some mistakes which she has tried to go back and correct. She said they have navigated huge financial challenges. She said she will treasure this opportunity forever. She will always be proud to say she was the Mayor of Beavercreek and always be proud to call Beavercreek her home.

Council Member Upton said following Black Friday and Thanksgiving a number citizens had good experiences interacting with our officers as they were out with the crowds. He thanked the entire staff for a great 2015 and looks forward to working with everyone in 2016. He said we have a great team and with that they are able to accomplish great things. He said Council Member Petrak has given him much guidance in his four years on Council. He said he was the first person to reach out to him before he was seated as a Council Member elect. He said we will be missing the institutional carnal knowledge going forward. He said your shoes are going to be big to fill. He said he could not thank Council Member Giambrone enough for the leadership that she has shown. He said in her term as mayor he could not count the number of times she called him to discuss issues. He said being a first term Council Member being able to work with the entire team was so important. He thanked the current mayor and vice mayor for their leadership they have shown over the last two years and looks forward to working with them for the next two years.

Council Member Litteral thanked the volunteers of the city. She said they are amazing. She thanked the staff and said the citizens are so lucky to have such an elite team. She said this goes back to Mr. Cornell's leadership. She thanked him for providing a learning experience for her. She said she could not thank Council Member Petrak enough. She said he is one of the most professional gentlemen she has ever met. His integrity is nothing finer and it is a privilege to say that. She thanked him for the learning and the opportunities. She said Council Member Giambrone was an amazing mayor and the leadership that she provided to a first time council member – there are no words to describe. She thanked the current mayor and vice mayor for everything she has learned from them.

CITIZEN COMMENTS

There were not citizen comments.

ADJOURNMENT

BEAVERCREEK CITY COUNCIL

REGULAR

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Council Member Giambrone MOVED to adjourn the meeting at 7:46 p.m., seconded by Council Member Petrak. Motion PASSED by majority voice vote.

Brian Jarvis, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin121415

ORDINANCE NO. 15-30

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER _____ ON THE 23RD DAY OF
NOVEMBER, 2015.

AN ORDINANCE AMENDING THE ZONING MAP, BY REZONING APPROXIMATELY 0.69 ACRES OF LAND LOCATED ON THE WEST SIDE OF SYLVANIA DRIVE APPROXIMATELY 170 FEET NORTH OF THE INTERSECTION OF SYLVANIA AND CHALFONTE DRIVES FROM R-1A ONE FAMILY RESIDENTIAL DISTRICT TO O-1 OFFICE DISTRICT, FURTHER DESCRIBED AS BOOK 3, PAGE 10, PARCEL 229 ON THE GREENE COUNTY TAX ATLAS.

Whereas, Craig Penno (Agent for Owner) 75 Sylvania Drive, Beavercreek OH 45440, have requested the rezoning; and

Whereas, the City of Beavercreek Planning Commission has recommended approval of the rezoning amendment; and

WHEREAS, the City Council has voted to adopt the recommendation of the Planning Commission, this being a decision that requires approval by four members of Council.

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I

That the Zoning Map referenced in §158.018 of the Zoning Code is hereby further amended to change approximately 0.69 acres of land, located on the on the west side of Sylvania Drive approximately 170 feet north of the intersection of Sylvania and Chalfonte Drives, known as B42000300100022900 and as further described in the attached Exhibit A be rezoned to O-1 Office District.

SECTION II

This Ordinance shall take effect from and after the earliest period allowed by law.

SECTION III

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

PASSED this 11th day of January, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to rezone approximately 0.69 acres of land located on the west side of Sylvania Drive approximately 170 feet north of the intersection of Sylvania and Chalfonte Drives from R-1A One Family Residential District to O-1 Office District.

This is not an emergency ordinance and will become effective 30 days after passage.

Z-15-4 Penno Ordinance

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

MAC 1716

Meeting Date: January 11, 2016	Reference Topic: Allocating Marriage Money to Mayor's Designated Fund
Agenda Reference No.: VI. B.	RES 16-01

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> Other - Mayor

BACKGROUND AND STAFF SUMMARY:

Pursuant to Ordinance 00-12, in the event of a newly elected Mayor, a resolution shall be prepared for the purpose of designating a fund in which marriage ceremony revenues shall be deposited and dispersed. Mayor Stone has requested any marriage ceremony revenues be allocated the Senior Center.

STAFF RECOMMENDATION:

Approval of resolution.

**CITY OF BEAVERCREEK
RESOLUTION 16-01**

SPONSORED BY COUNCIL MEMBER _____ ON THE 11TH DAY OF JANUARY 2016.

A RESOLUTION AUTHORIZING THE FINANCIAL ADMINISTRATIVE SERVICES DIRECTOR TO DEPOSIT MARRIAGE REVENUES INTO THE "MISCELLANEOUS TRUST FUND" FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDING FOR THE SENIOR CENTER.

WHEREAS, in the State of Ohio the Mayor of any city may legally perform marriage ceremonies to couples at locations within the county(ies) where the city has incorporated, and

WHEREAS, the Charter of the City of Beavercreek allows the Mayor of Beavercreek to act in accordance with the State of Ohio Code, with regard to performing marriage ceremonies, and

WHEREAS, Ordinance 00-12 established that "When a new Mayor is elected in the City of Beavercreek, the Mayor shall prepare a Resolution, to be approved at a formal City council meeting, which shall designate the fund in which revenue from marriage ceremonies shall be deposited and dispersed. That fund might be the Beautification Fund, the Mayor's Youth Activities Fund, or another fund which the Mayor designates," and

WHEREAS, Ordinance 00-12 indicates that the "Director of Finance is hereby directed to request that each new Mayor designate the fund in which marriage ceremony revenue shall be deposited," and

WHEREAS, the "Miscellaneous Trust Fund" is already established and the Mayor desires to have all revenue generated from marriage be deposited in this fund and utilized for the purpose of providing additional funding for the Senior Center.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO:

SECTION 1

That the Financial Administrative Services Director is hereby authorized to deposit all marriage revenues generated from the Mayor performing marriage ceremonies to the "Miscellaneous Trust Fund".

SECTION 2

That said Resolution shall take effect immediately upon its adoption.

ADOPTED by the Beavercreek City Council on this 11th day of January, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

MAC 1716

Meeting Date <u>January 11, 2016</u>	Reference Topic: <u>Resolution 16-02</u> Advance draws for 2016 real estate and personal property taxes.
Agenda Reference No.: <u>V.C.</u>	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other Motion _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

Although the County Auditor collects property taxes throughout the year, revenues are only distributed in March and August of each year. By passing this Resolution, the City is able to receive money in advance of these semi-annual distributions. During 2015, the City received seven advance draws from the Greene County Auditor totaling \$9.6 million dollars which was used for cash flow purposes and to earn additional interest income.

STAFF RECOMMENDATION: Staff recommends adoption of Resolution 16-01.

**CITY OF BEAVERCREEK
RESOLUTION 16-02**

SPONSORED BY COUNCIL MEMBER _____ ON THE 11th DAY OF
JANUARY, 2016.

**A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE
THE FINANCIAL ADMINISTRATIVE SERVICES DIRECTOR TO REQUEST
ADVANCE DRAWS UPON THE AMOUNTS COLLECTED BY THE GREENE
COUNTY AUDITOR FOR THE CITY OF BEAVERCREEK 2015 REAL ESTATE
AND PERSONAL PROPERTY TAXES COLLECTED DURING CALENDAR
YEAR 2016.**

WHEREAS, The County Auditor has begun collecting for the City of Beavercreek 2015
Real Estate and Personal Property Taxes; and

WHEREAS, the City wishes to make use of those funds prior to the normal disbursement
dates by the County Auditor.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
BEAVERCREEK, OHIO:

SECTION 1.

That the City Manager or his designee, the Financial Administrative Services Director be
and are hereby authorized to request advance draws from the County Auditor from those funds
collected for Real Estate and Personal Property Taxes for the City of Beavercreek during the
calendar year 2016.

SECTION 2.

That said Resolution shall take effect immediately upon its adoption.

ADOPTED by the Beavercreek City Council on this 11th day of January, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council



**AGENDA
CITY COUNCIL**

1368 Research Park Dr
Beavercreek, Ohio

**Council Advance – Saturday, January 16, 2016, 8:30 a.m.
Council Chamber**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION
- V. ADJOURNMENT

DRAFT



CITY COUNCIL
Regular Meeting – January 25, 2016 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Vice Mayor Vann
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING – Z-16-1 TCN Behavioral Rezoning, I-1 to RP-1
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Ordinance 16-01 (First Reading)
- VII. ORDINANCES, RESOLUTIONS AND PUDS
- VIII. Resolution 16-___ Park Maintenance Agreement
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT

January 7, 2016

CITY COUNCIL

January 11, 2016

- Z-15-4, Sylvania Drive rezoning, third reading

January 25, 2016

- Z-16-1, 1400 Grange Hall, public hearing, first reading
-

Tabled / Delayed / Pending

-

PLANNING COMMISSION

February 3, 2016

- PUD 15-3, SSP #1, AAA-Bob Sumerel Tire, public hearing
- Z-16-2, 4230 Dayton-Xenia, public hearing

Currently Tabled / Delayed

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Commercial Permits Submitted and Under Review

- Advance Auto
- Sam's Fuel Station

BOARD OF ZONING APPEALS

January 13, 2016

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Currently Tabled or Delayed

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